

IRA DANIEL TOKAYER, ESQ. (IT-4734)
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CERVECERIA MODELO, S.A. DE C.V. : 07 CV 7998 (HB)
and MARCUS MODELO S.A. DE C.V., :
: Plaintiffs,
: :
-against- : AFFIRMATION IN OPPOSITION
: :
USPA ACCESSORIES LLC d/b/a :
CONCEPT ONE ACCESSORIES, :
: Defendant. :
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IRA DANIEL TOKAYER, an attorney admitted to practice
law in the State of New York, under penalty of perjury, affirms
and says:

1. I am the attorney for defendant and I submit this
Affirmation in opposition to plaintiffs' motion to dismiss the
third counterclaim for tortious interference with contractual
relations set forth in defendant's Answer, dated October 22,
2007. I am fully familiar with the matters set forth herein.

2. Exhibit A is an Amended Complaint, dated and filed
on December 11, 2007 (without exhibits).

WHEREFORE, for the reasons set forth more fully in the
accompanying Defendant's Memorandum of Law in Opposition to
Plaintiffs' Motion to Dismiss the Third Counterclaim, it is

respectfully submitted that plaintiffs' motion be denied in its entirety.

Dated: New York, New York
December 11, 2007

/s/
IRA DANIEL TOKAYER

MOT DISMISS AFF.wpd